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ACT/007/006-DO-92A

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PS Form 3800, June 1985

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DOGM JBE ACT/007/006-DO-92A #3

SENDER: Complete items 1 and 2 when additional services are desired, and complete items 3 and 4. Put your address in the "RETURN TO" Space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for additional service(s) requested.

1. Show to whom delivered, date, and addressee's address. (Extra charge)
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3. Article Addressed to: BEN GRIMES CYPRUS PLATEAU MINING CO PO DRAWER PMC PRICE UT 84501	4. Article Number P 074 979 191
	Type of Service: <input type="checkbox"/> Registered <input type="checkbox"/> Insured <input checked="" type="checkbox"/> Certified <input type="checkbox"/> COD <input type="checkbox"/> Express Mail <input type="checkbox"/> Return Receipt for Merchandise
Always obtain signature of addressee or agent and DATE DELIVERED.	
5. Signature - Address X	8. Addressee's Address (ONLY if requested and fee paid)
6. Signature - Agent X	
7. Date of Delivery FEB 21 1992	



State of Utah

DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

Norman H. Bangerter

Governor

Dee C. Hansen

Executive Director

Dianne R. Nielson, Ph.D.

Division Director

355 West North Temple

3 Triad Center, Suite 350

Salt Lake City, Utah 84180-1203

801-538-5340

February 18, 1992

Certified Return Receipt Requested
P 074 979 191

Mr. Ben Grimes
Cyprus-Plateau Mining Corporation
P. O. Drawer PMC
Price, Utah 84501

Ben

Dear Mr. Grimes:

Re: Division Order, Cyprus-Plateau Mining Company, Star Point Mine, ACT/007/006-DO-92A, Folder #3, Carbon County, Utah

Enclosed please find a Division Order and Finding of Permit Deficiency for the Star Point Mine. If in your review of this Order you have any questions, please call me or Pamela Grubaugh-Littig, Permit Supervisor.

Sincerely,

Lowell P. Braxton

Lowell P. Braxton

Associate Director, Mining

jbe

Enclosure

cc: P. Grubaugh-Littig

J. Helfrich

Jesse Kelley

007006.92A

STATE OF UTAH
DIVISION OF OIL, GAS AND MINING

PERMITTEE

Mr. Ben Grimes
Cyprus-Plateau Mining Company
P.O. Drawer PMC
Price, Utah 84501

ORDER & FINDINGS
of
PERMIT DEFICIENCY

PERMIT NUMBER ACT/007/006
DIVISION ORDER #DO-92A

PURSUANT to R645-303-212, the DIVISION ORDERS the PERMITTEE, Cyprus-Plateau Mining Company, to make the permit changes enumerated in the findings of permit deficiency in order to be in compliance with the State Coal Program. These findings of permit deficiency are to be remedied in accordance with R645-303-220.

Findings of Permit Deficiency

1. R645-301-514.230 states that "[t]he qualified registered professional engineer will provide a certified report to the Division promptly after each inspection [those inspections required by 514.210] that the refuse pile has been constructed and maintained as designed and in accordance with the approved plan and R645 rules."

The Division finds the permit deficient in that the permittee does not commit to provide the certified reports required by R645-301-514.230.

In order to comply with this rule, the permittee must insert in the PAP, a commitment to provide the Division with certified refuse inspection reports as required by R645-301-514.230.

2. R645-301-514.311 requires that all impoundments be certified annually by a qualified, registered professional engineer.

The Division finds the permit deficient in that the permittee does not commit to certify all impoundments on an annual basis.

In order to comply with this rule, the permittee must insert in the PAP a commitment to certify all impoundments annually and to include a copy of the certification in the Annual Report as required by R645-301-514.311.

3. R645-301-521.133 requires that if a permittee is to conduct mining operations within 100 feet of the right-of-way line of a public road, he must show compliance with R645-103-234.

The Division finds the permit deficient in that, even though it provides for conducting mining operations within 100 feet of County Road No. 290, it does not demonstrate compliance with R645-103-234.

In order to comply with this rule, the permittee must include in the PAP a section describing how he has complied with the requirements of R645-103-234.

4. Page 500-50 of the PAP states that Treatment Facility No. 1 and Sedimentation Ponds No. 3 and No. 5 were granted exemptions from the requirement that they be inspected and certified by a registered professional engineer. This exemption, the PAP says, was granted under UMC 817.42(a)(3).

The Division finds the permit deficient in that it exempts Treatment Facility No. 1 and Ponds 3 and 5 from the design and certification requirements of R645-301-514 and R645-301-533, whereas the R645 rules make no provision for such exemption.

In order to correct the deficiency and comply with the R645 rules, the permittee must submit for Division approval, a plan whereby the impoundments in question can be made to comply with the requirements of R645-301-514 and R645-301-533.

5. R645-301-534.130 requires that all road embankments be designed and built so as to have a static safety factor of at least 1.3.

The Division finds the permit deficient in that it does not demonstrate a safety factor for road embankments.

In order to comply with this rule, the permittee must include in the PAP a demonstration that road embankments have the required safety factor of 1.3.

6. R645-301-542.800 requires that the reclamation plan "...include a detailed estimate of reclamation costs as described in R645-301-830.100 - R645-301-830.300."

The Division finds the permit deficient in that the reclamation cost estimate found in Exhibit 542.800a and summarized in Table 542.800a (page 500-70) lacks essential information and is, therefore, impossible to review or verify. Specifically, the PAP contains no mass balance or earthwork quantity calculations. Therefore, the quantities used in the reclamation cost estimate cannot be verified.

In order to comply with this rule, the permittee must include in the PAP verifiable mass balance calculations, including references to distances and cross-sectional areas upon which they are based, to show that the material volumes shown in Exhibit 542.800a are based on sound measurements and calculations.

Order

It is hereby ordered that Cyprus-Plateau Mining Company make the requisite permit changes in accordance with R645-303-220 and submit a complete application for permit change, addressing the findings of permit deficiency by no later than March 31, 1992.

Ordered this 18th day of February, 1992, by the Division of Oil, Gas, and Mining.



Dianne R. Nielson, Director
Division of Oil, Gas and Mining